OPINION 784

CARDINALIS BONAPARTE, 1838 (AVES): VALIDATED UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers the generic name *Cardinalis* Jarocki, 1821, is hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy.

(2) The generic name *Cardinalis* Bonaparte, 1838 (gender : masculine), type-species, by designation by Gray, 1840, *Cardinalis virginianus* Bonaparte, 1838, is hereby placed on the Official List of Generic Names in Zoology with the Name Number 1728.

(3) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

(a) *cardinalis* Linnaeus, 1758, as published in the binomen *Loxia cardinalis* (type-species of *Cardinalis* Bonaparte, 1838) (Name No. 2160);

(b) *sinuatus* Bonaparte, 1838, as published in the binomen *Cardinalis sinuatus* (Name No. 2161).

(4) The family-group name CARDINALINAE Sushkin, 1925 (type-genus *Cardinalis* Bonaparte, 1838) is hereby placed on the Official List of Family-Group Names in Zoology with the Name Number 415.

(5) The generic name *Cardinalis* Jarocki, 1821 (as suppressed under the plenary powers in (1) above) is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Number 1815.

HISTORY OF THE CASE (Z.N.(S.) 1608)

The present case was one of a number of cases submitted to the office of the Commission by the Standing Committee on Ornithological Nomenclature of the International Ornithological Congress (Chairman: Finn Salomonsen) in May 1958. A revised proposal by Prof. Ernst Mayr, Dr. J. T. Marshall, Jr., and Dr. Robert K. Selander was sent to the printer on 17 October 1963 and was published on 23 April 1964 in *Bull. zool. Nomencl.* **21** : 133–136. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to twelve ornithological serials. The application was supported by Professor Walter Bock, Dr. Jean Dorst, Miss B. P. Hall (*Bull. zool. Nomencl.* **21** : 416), Professor G. Niethammer and Dr. Allan R. Phillips.

DECISION OF THE COMMISSION

On 10 March 1966 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (66)14 either for or against the proposals set out in *Bull. zool. Nomencl.* **21** : 135–136. At the close of the prescribed voting period on 10 June 1966 the state of the voting was as follows:

Affirmative votes—twenty (20), received in the following order: China, Holthuis, Boschma, Obruchev, Lemche, Mayr, Binder, Simpson, Uchida,

Bonnet, Jaczewski, Tortonese, Vokes, Forest, Alvarado, Kraus, Mertens, Brinck, Evans, do Amaral.

Negative votes—one (1): Sabrosky.

Voting Papers not returned—three (3): Hubbs, Munroe, Ride.

Dr. N. R. Stoll returned a late affirmative vote. In returning his negative vote Mr. Sabrosky made the following statement: " I am astonished that advocates of usage wish to turn the clock back to *Cardinalis*, in view of the well established usage of the admittedly ' widely used name ' *Richmondena*. If predominant and wide-spread usage is important, then it would be more reasonable to suppress *Pyrrhuloxia* in favour of *Richmondena*, which is adopted in such standard and widely quoted and followed works as the *Check List of the American Ornithologists' Union* (last two editions, 1931, 1957) and other major works (paragraph 7 of the Mayr-Marshall-Selander application).

" It is interesting to note that the majority vote for *Cardinalis* in the 3–1 vote of the Standing Committee on Ornithological Nomenclature of the International Ornithological Congress consisted of three Europeans, against the minority of one American (the late A. H. Miller). Inasmuch as the cardinals are American birds, it would seem appropriate, and would have been more relevant, to have had a vote of the Nomenclatural Committee of the American Ornithologists' Union, or of the Union's membership. The application does not necessarily represent a majority view of American ornithologists. For example, I am informed by Dr. Alexander Wetmore, distinguished ornithologist, former president of the International Ornithological Congress, and editor of the last AOU Check List, that he is strongly opposed to the proposal to go back to *Cardinalis*.

" Incidentally, Dr. Wetmore tells me also that he considers it premature to conclude that *Richmondena* and *Pyrrhuloxia* are congeneric despite the positive statements of paragraphs 9 and 10 of the application. A brief examination of the osteology suggests that there may be fundamental differences. The Mayr and Amadon (1951) conclusion of congeneric status was not accepted for the 1957 Check List."

Original References

The following are the original references for names placed on the Official Lists and Index by the Ruling given in the present Opinion:

CARDINALINAE Sushkin, 1925, *Auk* **42** : 260

Cardinalis Bonaparte, 1838, *Proc. zool. Soc. London* **1837** : 111

Cardinalis Jarocki, 1821, *Zoologiia* **2** : 133

cardinalis, *Loxia*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 172

sinuatus, *Cardinalis*, Bonaparte, 1838, *Proc. zool. Soc. London* **1837** : 111

The following is the original reference for the designation of a type-species for a genus concerned in the present Ruling:

For *Cardinalis* Bonaparte, 1838: Gray, 1840, *List Genera Birds:* 43

CERTIFICATE

We certify that the votes cast on Voting Paper (66)14 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted

under the plenary powers, and that the decision so taken, being the decision of the International Commission is truly recorded in the present Opinion No. 784.

G. OWEN EVANS
Secretary

W. E. CHINA
Assistant Secretary

International Commission on Zoological Nomenclature
London
14 *June* 1966